

Delegated Report

Application No:	20220274
Location:	123 Singlewell Road, Gravesend, Kent DA11 7QA
Description:	Erection of part single storey rear extension to form a one bedroom one person flat, part two storey extension and alterations to existing flat arrangement to provide a one bedroom two person flat. Retention of the existing shop.
Applicant:	Mr Abul Kalam
Site Visit Date:	Various

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 14 March 2022.
Design and Access Statement received 14 March 2022.
Drawing no. 2021/47/23 (proposed elevations) received 14 March 2022.
Drawing no. 2021/47/24 (proposed elevations) received 14 March 2022.
Drawing no. 2021/47/22 (proposed first floor plan) received 14 March 2022.
Drawing no. 2021/47/21 (proposed ground floor plan) received 14 March 2022.
Drawing no. 2021/47/05 (existing elevations) received 14 March 2022.
Drawing no. 2021/47/04 (existing elevations) received 14 March 2022.
Drawing no. 2021/47/03 (existing first floor plan) received 14 March 2022.
Drawing no. 2021/47/02 (existing ground floor plan) received 14 March 2022.
Drawing no. 2021/47/20 (proposed site and block plan) received 14 March 2022.
Drawing no. 2021/47/01 (existing site and block plan) received 14 March 2022.

Relevant Planning History

20210135	Erection of a part single and part two storey rear extensions; internal alterations to create two self-contained flats (1 x 1 bedroom and 1 x 2 bedroom) and expansion of shop area at ground floor level.	Refused	09.04.2021
20211028	Erection of a part single and part two storey rear extension; internal alterations to create two self-contained flats (1 x 1 bedroom and 1 x 2 bedroom) and expansion of shop area at ground floor level.	Refused	26.11.2021

20111020	Change of use from A1 retail to A5 hot food takeaway and the installation of an associated kitchen extract system with ducting to the rear elevation.	Refused, appeal dismissed	27.01.2012
20040080	Erection of a detached garage on land at the rear of 123 Singewell Road.	Permitted	11.03.2004

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- Core Strategy Policy CS01: Sustainable Development
- Core Strategy Policy CS02: Scale and Distribution of Development
- Core Strategy Policy CS08: Retail, Leisure and the Hierarchy
- Core Strategy Policy CS10: Physical and Social Infrastructure
- Core Strategy Policy CS11: Transport
- Core Strategy Policy CS12: Green Infrastructure
- Core Strategy Policy CS14: Housing Type and Size
- Core Strategy Policy CS15: Housing Density
- Core Strategy Policy CS18: Climate Change
- Core Strategy Policy CS19: Development and Design Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); and
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

Supplementary Planning Guidance

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- GBC Residential Layout Guidelines (SPG2 February 2020)
- Housing Standards Policy Statement 1st October 2015
- Technical Housing Standards - Nationally Described Space Standards

Consultations, Publicity and Representations

Highway Development Management Officer

I can see no reason to object to the proposal providing everything is provided that they say be provided. I do not see on the plans where the secure storage will be for flat 1. I assume it is where the garage/store is at the bottom of the rear garden but there is nothing to indicate this that I can see on the drawings.

The car parking demand given current guidance would be comparable.

KCC Heritage

Thank you for consulting us on this application.

The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

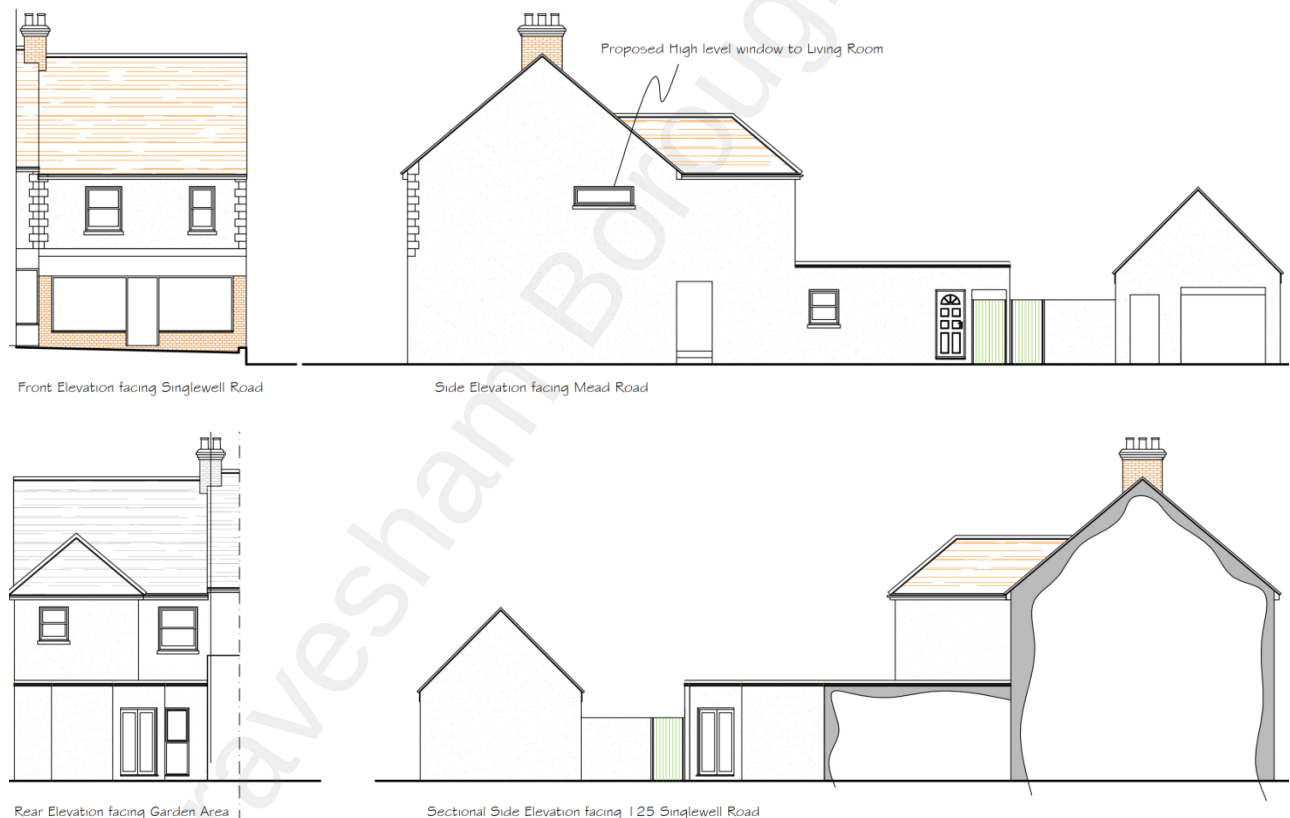
The application has been advertised by individual letters to 8 neighbouring properties. No letters of representation have been received.

Analysis

Proposal

This application seeks planning permission for the erection of part single storey rear extension to form a one bedroom one person flat, part two storey extension and alterations to existing flat arrangement to provide a one bedroom two person flat. Retention of the existing shop.

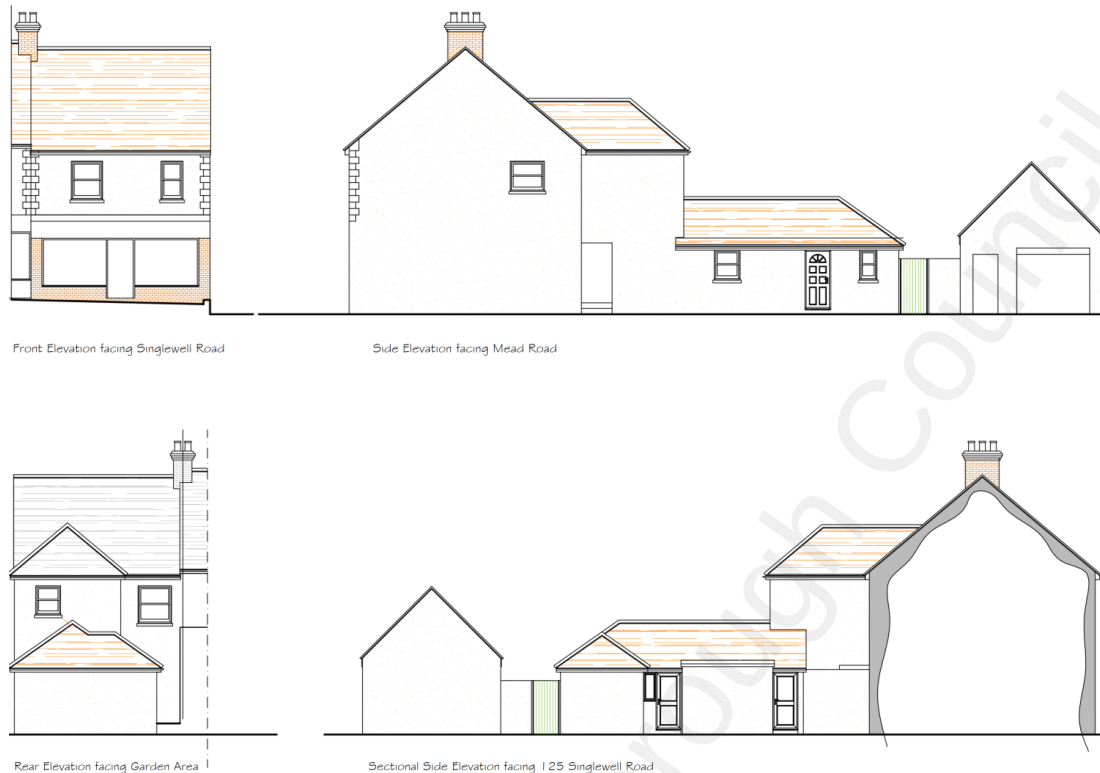
The external walls are to be rendered to match the existing buildings and the two storey extension will be finished with artificial slate. The windows will be white uPVC. Bicycle storage has been provided for bot flats as well as secure bin storage.



The two storey rear extension will project approx. 3.6m to the rear and will be approx. 4.2m wide. It will be approx. 7.6m high with a pitched roof. The single storey rear extension will be approx. 10m in depth and will be approx. 6m wide. It will be approx. 3m high with a flat roof. The ground floor extension will provide for a one bedroom flat with living/kitchen/dining room, bedroom, shower room and outside amenity space. The two storey extension will provide for a bicycle store, stairs leading up to flat 2 above the shop and a shower room to this flat.

Background

Planning application 20211028 sought permission for the erection of a part single and part two storey rear extension; internal alterations to create two self-contained flats (1 x 1 bedroom and 1 x 2 bedroom) and expansion of shop area at ground floor level as seen below:



This was refused for the following reasons:

1. *The proposed extension by virtue of its size, design and extent of built development on the plot would be an overly dominant addition which would not be subservient and would be an overdevelopment of the plot out of keeping with the scale and character of the host building. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).*
2. *The ground floor flat would provide unacceptable living conditions for future occupiers by virtue of the location of windows and the resultant poor levels of sunlight, daylight and outlook as well as overlooking for occupiers of that flat. The first floor flat would provide undersized accommodation. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130 (f) of the National Planning Policy Framework (2021).*
3. *The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment covering the impact of the development on the SPA/Ramsar site or offered a financial contribution towards mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 180 and 181 of the National Planning Policy Framework (2021) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided.*

Before that, planning application 20210135 sought permission for the erection of a part single and part two storey rear extensions; internal alterations to create two self-contained flats (1 x 1 bedroom and 1 x 2 bedroom) and expansion of shop area at ground floor level. This was refused

for the following reasons:

1. *The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment covering the impact of the development on the SPA/Ramsar site or offered a financial contribution towards mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014 and paragraphs 175 and 176 of the National Planning Policy Framework (2019) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided.*
2. *The proposed extension by virtue of its size, design and extent of built development on the plot would be an overly dominant addition which would not be subservient and would be an overdevelopment of the plot out of keeping with the scale and character of the host building. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2019).*
3. *The ground floor flat would provide a poor level of amenity for future occupiers as all of the windows to its habitable rooms would face directly onto the pavement outside whereby occupiers could be overlooked by passing pedestrian traffic and the flat would also not have a private amenity space that would meet the minimum standard as set in SPG2: Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020. As such, the proposal is considered contrary to Policy CS19 of the Local Plan Core Strategy and paragraph 127 (f) of the NPPF.*

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraph 130 and 134 - of the NPPF (2021) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is considered acceptable as discussed below.

Principle

The application site is located within the urban area where the principle of residential development above shops and the extension of properties is acceptable provided it meets with the Policy criteria below.

Character and Appearance

The application site is located within a Local Centre surrounded by residential properties. The row of shops within which the site is located contains shops, a pharmacy, hairdresser, Post Office and bakery with residential accommodation above. To the west of the site there is a new development of three storey houses. The character of the area is two storey terrace dwellings. There is a more modern development to the west of the site of three storey properties. The plans show a two storey and single storey extension. There are other two storey rear projections within the terrace and therefore the proposal is not out of character with the area. The proposed first floor extension at this projection is considered in keeping with the property in terms of scale and proportion. In terms of design the hipped roof will complement the building.

The single storey rear extension is large, however there are other large outbuildings and garages to the rear of the terrace. As it is single storey in nature it will not be readily visible and is an improvement to the previous application. On balance, the reduction in size, and use of flat roof creates a form of development that is not out of character with other development to the rear of these shops.

The proposed development therefore accords with Policy CS19 of Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

Flat 1 has an internal floor area of approx. 37.6sqm. The bedroom has an internal floor area of approx. 9sqm. The National Space Standards require a floor area of 39sqm for a one bedroom property or 37sqm where there is a shower room rather than a bathroom. In this case there is a shower room and therefore the floor area is acceptable. The bedroom meets the floor area for a single but falls short for a double. There will be private amenity space for flat 1 of approx. 12sqm.

Flat 2 will be located above the shop with a shower and landing/stairs in the proposed two storey extension and will have an internal floor area will be approx. 58sqm. The National Space Standards require a floor area of 50sqm for a one bedroom, two person dwelling and therefore the plans accord with this. The floor area of the bedroom will be approx. 11.8sqm which meets the standards for a double. There is a private amenity space of approx. 10.5sqm. Both flats have sufficient outlook and daylight to habitable rooms.

Neighbouring Amenity

No.125 Singlewell Road is located to the south of the application site. The proposed single storey extension, due to its height and presence of other buildings within the garden of no. 125, will not have any significant impact on the amenities of this neighbour. The two storey rear extension is shown to be located to one side of the building approx. 2.2m away from the shared boundary.

The distances between the first floor habitable room window and the extension, together with the extent of projection of approx. 3.7m will ensure that there is no significant impact on this neighbour in terms of loss of outlook or daylight. No windows are proposed in the southern flank and therefore there will be no loss of privacy.

No. 121 Singlewell Road is located to the north of the application site. This property has a rear garden less than 10m away from the proposed development. There is one new window proposed in the northern flank of the main building that appears to be high level. A condition is recommended to ensure this remains high level.

A condition is also recommended to ensure the flat roof is not used as a balcony.

Due to the path of the sun there will be no detrimental impact on any neighbouring property in terms of loss of sunlight.

The proposed development therefore would accord with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 with regards to amenity.

Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have paid towards the mitigation.

The proposal secures a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development complies with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Parking and Highways

No objection providing everything is provided that is shown. It is not clear from the plans where the secure storage will be for flat 1 and this would need to be shown however this can be controlled by condition. The car parking demand given current guidance would be comparable.

Conclusion

The proposed development is considered to result in no detrimental impact to the character and appearance of the street scene, neighbouring and future occupier amenities, parking or highways safety and therefore accords with the above-mentioned policies and is recommended for approval.

Recommendation:

Permit

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
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Signed: 	Signed: <i>R Hart</i>
Dated: 9 May 2022	Dated: 9th May 2022

Gravesham Borough Council